

Leonard D. DuBoff, NYB#LD4105

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Attorney for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

E. MISHAN & SONS, INC.,

Plaintiff,

v.

**KRISTINA M. HEICK and ROBERT R.
HEICK II, d/b/a HEICK ENTERPRISES,**

Defendants.

**Civil No. 08 CV 5343 (BSJ)
ECF Case**

**AFFIRMATION OF LEONARD D.
DUBOFF IN SUPPORT OF MOTION
FOR EXTENSION OF TIME TO FILE
RESPONSIVE PLEADING**

I, Leonard D. DuBoff, declare as follows:

1. I am admitted to practice before the Courts of the State of New York and this Court and hereby affirm under penalty of perjury.
2. I am an attorney at the law firm, The DuBoff Law Group, LLC, located in Portland, Oregon, which represents Defendants, Kristina M. Heick and Robert R. Heick II, d/b/a Heick Enterprises in this matter.
3. The complaint in this case was served on Robert R. Heick II on July 31, 2008.
4. Pursuant to Fed. R. Civ. P. 12(a)(1)(A), a responsive pleading would be due on August 20, 2008.

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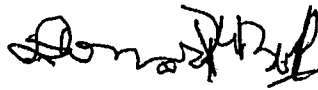
**1 – AFFIRMATION OF LEONARD D. DUBOFF IN SUPPORT
OF MOTION FOR EXTENSION OF TIME TO FILE
RESPONSIVE PLEADING**

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5. On or about August 18, 2008, plaintiff's counsel, Angelo Notaro, consented to a thirty-day extension of the deadline for filing a responsive pleading in this matter to September 19, 2008.
6. There have been no previous requests for extensions in this matter, and there are no scheduled dates that this extension could interfere with.

DATED: August 19, 2008

THE DUBOFF LAW GROUP, LLC



Leonard D. DuBoff, NYB#LD4105

Attorney for Defendants Kristina Heick
and Robert Heick II, d/b/a Heick Enterprises